

FILED
U.S. DISTRICT COURT
DISTRICT OF MARYLAND

UNDER SEAL

CRIMINAL NO.

**(Conspiracy to Distribute Cocaine Base,
21 U.S.C. § 846; Forfeiture, 18 U.S.C. §
982(a)(1); 21 U.S.C. § 853)**

982(a)(1); 21 U.S.C. § 853)

* * * * *

COUNT ONE

The United States Attorney for the District of Maryland charges that:

NAPOLEAN MCLAIN,

the defendant herein, did knowingly, willfully and unlawfully combine, conspire, confederate, and agree with others known and unknown to the United States Attorney's Office to knowingly, intentionally, and unlawfully distribute and possess with intent to distribute 28 grams or more of cocaine base, a Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1) and 21 U.S.C. § 841(b)(1)(A)(iii).

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FORFEITURE

1. The allegations contained in Count One of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeiture pursuant to 21 U.S.C. § 853.

2. Pursuant to 21 U.S.C. § 853, upon conviction of an offense in violation of 21 U.S.C. §§ 841, the defendant,

NAPOLEAN MCLAIN,

shall forfeit to the United States of America any property constituting, or derived from, any proceeds obtained, directly or indirectly, as the result of such offense and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the offense.

SUBSTITUTE ASSETS

3. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been commingled with other property which cannot be divided without difficulty,

it is the intent of the United States of America, pursuant to 21 U.S.C. § 853(p) to seek forfeiture of any other property of the defendants up to the value of the property charged with forfeiture.

18 U.S.C. § 982(a)(1); 21 U.S.C. § 853; 28 U.S.C. § 2461(c); Fed. R. Criminal. P. 32.2(a),

Date: _____

6/26/14

Rod Rosenstein

BY: DIS

Rod J. Rosenstein